

NEZ PERCE-CLEARWATER NATIONAL FORESTS

Watershed Specialist Review

Project: **Max #2 Placer Exploration**

Date: 7/15/14

Extraordinary Circumstances Review: Floodplains, Wetlands, Municipal Watersheds

Resource	Present	Potential Extraordinary Circumstance	Effect
Floodplains	<input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Occupation or modification of floodplains (<i>EO 11988</i>)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Wetlands	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Occupation or modification of wetlands (<i>EO 11990</i>)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Municipal Watersheds	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Actions in municipal watersheds (<i>FSH 1909.15, Chapter 30.3.2</i>)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

1. Scope

The proposed exploratory trenches (10) will be (10'W x 10'L). The total area of the each site will be 20' by 30' and includes excavator pad, spoil area, and sample trench and sample collection area. Material would be processed through a sluice box, processing water recycled, and process water will be run back into the pit with processed material, there would be no discharge into live water. When finished, the pit would be immediately filled, recontoured, any existing topsoil will be replaced, and reseeded. Only one pit will be open at a time. The trench will continue to be excavated taking samples periodically until bedrock is reached with a maximum removal of 50 cubic yards removed. Access to the sites will be on existing roads and trails. The site is accessible by existing roads FS RD 221, 394, 643, 643J. Some brushing will be required on Forest Road 645J and Ozark Creek will need to be forded for access to the project area. This can be accomplished by the use of planks across the stream channel with no impact to the stream. The excavator would ford Ozark Creek only twice, to access and exit the processing sites, and the ATV would need to ford daily. The excavator would be walked to the test sites (undercarriage is 8 ft). A buffer of at least 20' will be maintained between any surface disturbance and adjacent streams or wetland areas. There would be no excavation directly along stream banks or within ephemeral draws. Some dead and/or down timber may be removed for access and safety but, trees felled will be left on site, there would be no removal of stream side canopy. There would be no refueling within RHCA's. The site would be reclaimed/recontoured per National Best Management Practices for Water Quality Management on National Forest System lands (National Core BMP technical guide Vol 1. 2012) and State of Idaho Best Management Practices (BMP's).

The purpose of this report is to evaluate the proposed project to determine whether there may be "significant and adverse impacts" to any of the following extraordinary circumstances described in FSH 1909.15, Chapter 30.3.2: *(b) Flood plains, wetlands, or municipal watersheds*. In addition to evaluating whether or not the project qualifies for a Categorical Exclusion from documentation in an EA or EIS, this report provides documentation of the project's consistency with the 1987 Nez Perce and Clearwater National Forests Plans and relevant State and Federal regulations.

2. Existing conditions

2.1. Project Location: *See Project File*

2.2. Need for the Project: *See Project File*

2.3. Proposed Action(s) *See Project File*

2.3.1. Design Criteria

☐ No additional design criteria, above those listed in the proposal, are proposed for water resources.

- ☒ Additional design criteria, above those listed in the proposal, are proposed for water resources. These criteria are attached to this document.

2.4. Site Inspection Notes: Both test sites are located within a Riparian Habitat Conservation Area (RHCA). There are wetlands in the vicinity (see map in project file) but neither test site is located within a wetland boundary. There is good existing access to the proposed test site located east of Ozark Creek (see test site map in project file). To access the second test area, Ozark Creek will need to be crossed and this should be carefully planned and monitored. There is an existing wooden plank creek crossing at the site. Crossing the creek with equipment is the most important concern at the site. Best management practices to prevent sedimentation to Ozark Creek should be implemented. It is recommended that work proposed under the Rex Placer Exploration Plan of Operations, located north of the Max #2 claim and also along Ozark Creek, be monitored concurrently to ensure that cumulative impacts to Ozark Creek are not occurring.

3. Environmental Consequences

3.1. Direct and Indirect Effects

No direct or indirect significant, adverse effects to floodplains, wetlands, or municipal watersheds are proposed or expected for this project.

3.2. Cumulative Effects – Past, present and reasonably foreseeable activities

No cumulative significant, adverse effects to floodplains, wetlands, or municipal watersheds are proposed or expected for this project. Cumulative effects would be most noticeable at the site scale (if they occur), becoming progressively less discernible at the sub-watershed, watershed, and sub-basin scales. Given the low degree of anticipated site-level effects, cumulative effects are expected to be negligible.

3.3. Regulatory Framework:

Executive Orders 11988 and 11990 (Floodplains and Wetlands)

Floodplains: The Project will not modify or occupy floodplains to an extent greater than already exists. As such, there will be no adverse impacts to floodplains; thereby complying with EO 11988 and FSH 1909.15, Chapter 30.3.2.

Wetlands: The Project does not propose to modify or destroy wetlands. As such, the Project will not adversely affect wetlands; thereby complying with EO 11990 and FSH 1909.15, Chapter 30.3.2.

Municipal Watersheds: The Project area is not located within a municipal watershed. As such, the Project will not adversely affect municipal watersheds; thereby complying with FSH 1909.15, Chapter 30.3.2.

Clean Water Act, Safe Drinking Water Act, and State Water Quality Laws: The proposed project is also consistent with all applicable State and Federal water quality laws because project Design Criteria and BMPs have been included to protect water resources.

Clean Water Act: Sections 303(d), 305(b) Impaired Waters and TMDLs

Watershed (HUC6) of proposed project:

Is the watershed on Idaho's 303(d) Impaired Waters List? Upper Little Slate Creek

☐ YES ☒ NO

If YES: Is the pollutant/issue excess sediment?

☐ YES ☐ NO

If YES: Are ground disturbing activities proposed?

☐ YES ☐ NO

If YES: Are BMPs or Design Criteria included to minimize/eliminate sediment delivery to WOTUS?

☐ YES ☐ NO

If YES: Is the pollutant/issue excess temperature?

☐ YES ☐ NO

If YES: Is vegetation or canopy cover removal proposed?

☐ YES ☐ NO

Will the proposed project likely result in further impairment of the watershed?

☐ YES ☒ NO

Reason: No canopy cover will be removed; design criteria contained in Attachment #1 shall be incorporated into the special use permit or plan of operations.

Water rights

Is there planned or continued water diversion?

☐ YES ☒ NO

If YES: has a water use permit application been submitted to Idaho Dept. of Water Resources?

☐ YES ☒ NO

If YES: Has the permit been approved by IDWR (a copy should be included in the SUP file)?

☐ YES ☒ NO

If YES: Are there specific BMPs or design criteria that need to be incorporated into the SUP?

☐ YES ☒ NO

If YES: Describe additional BMPs or design criteria: ___n/a_____

Multiple-Use Sustained-Yield Act: The proposed project is consistent with the intent of the Multiple-Use Sustained-Yield Act of 1960, which states that management of the National Forests must provide "sustained yields in perpetuity without impairment of the productivity of the land", because watershed functions are not expected to be impaired.

National Forest Management Act: The proposed project is consistent with the intent of the NFMA because project activities will not irreversibly damage water resources and project Design Criteria and BMPs have been included to protect water resources.

3.4. Forest Plan Consistency

The Forest Plan objective for Water Quality is: "*The current Idaho Water Quality Standards will be met or exceeded. This will be accomplished through ... application of best-management practices*". The proposed project is consistent with the standards, goals, and objectives for water resources set forth in the Nez Perce National Forest Plan (USDA, 1987a) and the Clearwater National Forest Plan (USDA, 1987b) because project Design Criteria and BMPs have been included to protect water resources. BMPs include Soil and Water Conservation Practices (FSH 2509.22) used to control non-point source pollution and protect water resources from permanent damage.

SIGNATURE OF PREPARER

I certify that the contents of this report are true and accurate, to the best of my knowledge. Questions about this specialist report can be addressed to Drea Traeumer, Hydrologist (Nez Perce –Clearwater National Forests), 208.926.9403.

/s/ Drea Traeumer

Drea Traeumer

October 6, 2015

Date

Attachment #1 Additional Design Criteria For Placer Mining Activities

1. Design Criteria:

- 1.1. The document “*Mitigation Measures for Placer Exploration*” is incorporated by reference and shall be included in the permit document provided to the operator. The following design criteria are supplemental to that document.
- 1.2. Where water is used to process mineral samples onsite using sump or settling ponds, silt fences or other suitable erosion control devices shall be placed between the pond and live waters (including streams, creeks, and wetlands) such that sediment laden water is not delivered directly to these waters.
- 1.3. Excavation pits and spoils piles (temporary or permanent) shall not be located within any existing wetland.
- 1.4. Topsoil shall be conserved when constructing excavation pits; and shall be placed on top of refilled excavation pits when each pit is reclaimed after use.
- 1.5. All disturbed soils shall be replanted as soon as possible to minimize soil erosion. All soils disturbed by previous mining activities within the operations area shall be replanted as soon as possible to minimize soil erosion.
- 1.6. Dead, dying, or downed coarse woody debris shall not be removed from any RHCA.
- 1.7. Where feasible, the existing woody debris and vegetation located onsite should be incorporated into the soil to maintain organic matter content and long-term soil productivity.
- 1.8. No structures (i.e., sheds, shelters) shall be constructed in any wetland or floodplain within the project area.
- 1.9. If existing native surface roads are used for access, reconstruct waterbars on the native surface project roads prior to the end of the operating season. Follow guidelines and typical drawings as specified. Road maintenance shall be conducted to minimize damage to the road and to minimize sediment delivery from the road surface to watercourses.
- 1.10. The operator shall not remove, disturb, or damage any instream fish habitat structure (e.g., log jam, rock cluster, etc.). If it is necessary for prudent or safe operations to do so, the operator shall notify the Forest such that the district or Forest fisheries biologist may inspect the proposed changes to fish habitat.
- 1.11. Where it is necessary to maintain sanitation facilities on-site, such facilities shall not be closer than 50 feet to any lake, stream, river, or wetland; and shall have spill prevention control and countermeasures such that effluent from the facility does not reach any lake, stream, river, or wetland.
- 1.12. If the total oil or oil products storage at a work site exceeds 1,320 gallons, or if a single container (e.g., fuel truck or trailer) exceeds a capacity of 660 gallons, the purchaser shall prepare and implement a Spill Prevention Control and Countermeasures (SPCC) Plan. The SPCC plan will meet applicable EPA requirements (40 CFR 112), including certification by a registered professional engineer. (SFP: FW-119, 120, 122).